

Applicants: Berez, et al. Attorney Docket: 2960/116

Serial No: 10/724,010 Art Group Unit: 3733

Date Filed: November 25, 2003 Examiner Name: Philogene, P.

Invention: **Patient Selectable Joint Arthroplasty Devices and Surgical Tools Facilitating Increased Accuracy, Speed and Simplicity in Performing Total and Partial Joint Arthroplasty**

**SECTION 2. FORMS PTO/SB/08A and 08B (formerly Form PTO-1449)**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

U.S. PATENT DOCUMENTS					
Examiner Initials	Reference Number	Document Number	Issue Date	Inventor	Class/Subclass
	AA	US 5,154,717	Oct. 13, 1992	Matsen, III et al.	606/53
	AB	US 5,501,687	Mar. 26, 1996	Willert et al.	606/94
	AC	US 5,871,018	Feb. 16, 1999	Delp et al.	128/898
	AD	US 5,885,296	Mar. 23, 1999	Masini	606/86
	AE	US 5,961,523	Oct. 5, 1999	Masini	606/86
	AF	US 6,102,916	Aug. 15, 2000	Masini	606/88
	AG	US 6,156,069	Dec. 5, 2000	Amstutz et al.	623/22.11
	AH	US 6,187,010	Feb. 13, 2001	Masini	606/86
	AI	US 6,344,043	Feb. 5, 2002	Pappas	606/96

U.S. PATENT PUBLICATION DOCUMENTS					
Examiner Initials	Reference Number	Document Number	Publication Date	Inventor	Class/Subclass
	AJ	US 2001/0001120	May 10, 2001	Masini	606/86
	AK	US 2002/0087274	Jul. 4, 2002	Alexander et al.	702/19
	AL	US 2002/0127264	Sep. 12, 2002	Felt et al.	424/423
	AM	US 2002/0173852	Nov. 21, 2002	Felt et al.	623/20.32
	AN	US 2003/0055502	Mar. 20, 2003	Lang et al.	623/16.11
	AO	US 2003/0216669	Nov. 20, 2003	Lang et al.	600/587
	AP	US 2005/0085920	Apr. 21, 2005	Williamson	623/20.14
	AQ	US 2005/0234461	Oct. 20, 2005	Burdulis, Jr. et al.	606/79
	AR	US 2007/0198022	Aug. 23, 2007	Lang et al.	606/88

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FOREIGN PATENT DOCUMENTS						
Examiner Initials	Reference Number	Country Code	Document Number	Publication Date	Patentee or Applicant	Class/Subclass
	AS	EP	1 132 061	Sep. 12, 2001	Stalcup	A61F 2/28
	AT	FR	2 819 714	Jul. 26, 2002	Fortin et al.	A61F 2/44
	AU	WO	95/28688	Oct. 26, 1995	Swaelens et al.	G06T 15/00
	AV	WO	97/26847	Jul. 31, 1997	Bourgeault et al.	A61F 2/44
	AW	WO	99/56674	Nov. 11, 1999	Weiss	A61F 2/36
	AX	WO	01/10356	Feb. 15, 2001	Novarticulate Holdings Limited	A61F 2/46
	AY	WO	00/35346	Jun. 22, 2000	Alexander et al.	A61B 5/11
	AZ	WO	02/22014	Mar. 21, 2002	Alexander et al.	A61B 5/055

OTHER DOCUMENTS			
Examiner Initials	Reference Number	Author	Title of Article, Title of Journal, Volume Number, Page Numbers, Date
	BA	International Searching Authority	International Search Report – International Application No. PCT/US2007/016181, together with Written Opinion of the International Searching Authority, mailed September 7, 2007, received September 10, 2007, 15 pages
	BB	European Patent Office	Supplementary European Search Report – Application No. 04812187.5-2310, PCT/US2004/039616, dated September 19, 2007, received October 10, 2007, 3 pages

Examiner Signature: \_\_\_\_\_

Date Considered: \_\_\_\_\_

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation *if not* in conformance and not considered. Include copy of this form with next communication to applicant.

## Section 6. Copies of Listed Information Items Accompanying This Statement

*NOTE: 37 C.F.R. section 1.98(a)(2) requires that any information disclosure statement filed under section 1.97 shall include: "A legible copy of: (i) Each U.S. and foreign patent; (ii) Each publication or that portion which caused it to be listed; and (iii) All other information or that portion which caused it to be listed, except that no copy of a U.S. patent application need be included . . ."*

*NOTE: The wording in section 1.98(a)(2)(iii) makes it clear that the requirement to submit a copy of each item of information listed in an information disclosure statement does not apply to the citation of a U.S. patent application. Notice of January 9, 1992, 1135 O.G. 13-25, at 14.*

Legible copies of all items listed in Forms PTO/SB/08A and 08B (substitute for Form PTO-1449) accompany this information statement.

*(complete the following, if applicable)*

**U.S. patent citations are not included pursuant to the United States Patent and Trademark Office's September 21, 2004 waiver of the copy requirement in 37 CFR 1.98 for cited pending U.S. patent citations when the patent citations are available in the USPTO's IFW system.**

☐ Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.

☐ Cumulative patents or publications identified in Section 5.

**Section 10. Identification of Person(s) Making This Supplemental Information Disclosure Statement**

The person making this certification is

*(check each applicable item)*

- (a) ☐ the inventor(s) who signs below

\_\_\_\_\_  
**SIGNATURE OF INVENTOR**

\_\_\_\_\_  
*(type name of inventor who is signing)*

- (b) ☐ an individual associated with the filing and prosecution of this application (37 C.F.R. section 1.56(c))

\_\_\_\_\_  
**SIGNATURE OF INVENTOR**

\_\_\_\_\_  
*(type name of inventor who is signing)*

- (c) ☒ the practitioner who signs below on the basis of the information:

*(check each applicable item)*

☐ supplied by the inventor(s).

☐ supplied by an individual associated with the filing and prosecution of this application.  
(37 C.F.R. section 1.56(c)).

☒ in the practitioner's file.

\_\_\_\_\_  
/Alexander J. Smolenski, Jr., #47,953/

**SIGNATURE OF PRACTITIONER**

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*(type or print name of practitioner)*

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